

RECEIVED
CENTRAL FAX CENTER
MAY 27 2008

F A X

•
• **Macheledt Bales & Heidmiller LLP**
• Fort Collins, Colorado 80525
•
•
•
•
•
•
•

To: Primary Exr Camtu Nguyen
Fax number: 1 571 273-8300

From: Jean Macheledt
Fax number: (970) 267-8893
Business phone: (970) 218-6798
Home phone:

Date & Time: 5/24/2008 4:36:04 PM
Pages: 14
Re: Control No. 10/526,320

Please find attached 13 pages comprised of an IDS + Certification, along with a combined form 1449 & PTO/SB/08B reference listing for consideration by the primary examiner in the above referenced patent application.

Respectfully submitted this Saturday, 24-May-08
Jean Macheledt, Reg 33,956
Patent Attorney of Record
Tel. (970) 218-6798

RECEIVED
CENTRAL FAX CENTER
MAY 27 2008

App. No. 10/526,320 | IDS and Certification dated 24th May 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Beverly Cusick Taylor

Filed: **25 February 2005**

Serial No: **10/526,320**

Confirm: **3559**

Docket: **PGW-100A**

For: *Elasticized Garment and Strapping System
to aid in Body Mobility Support and Maintenance*

Exr: **Camtu Tran NGUYEN**

Group Art: **3772**

→ Please auto respond to FAX 970.282.1134

) FACSIMILE TRANSMISSION – or– DEPOSIT 13 pages total.

) I hereby certify under 37 CFR 1.8(a) that a signed original copy
) of this paper is being sent as authorized by 37 CFR 1.6(d) on the
) date indicated *via* standard tel. facsimile transmission; or *via*
) U.S. postal mail with sufficient postage, respectfully as follows:

) ✓ *If by FAX to new Central N^o: (571) 273-8300*

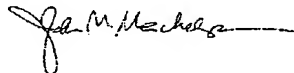
) *If by post ATTN Camtu Tran NGUYEN*

) **MAIL STOP: IDS and PTO-1449**

) Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450

) Date of Transmission/deposit: Saturday, 24th day of May, 2008

) By: Jean M Macheledt (printed name)

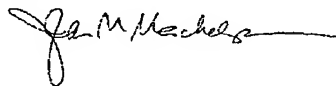
) 

TRANSMITTAL for INFORMATION DISCLOSURE STATEMENT and CERTIFICATION

Please find transmitted herewith, in connection with <no on-line IDS being submitted concurrently>, the following items:

- ☒ An Information Disclosure Statement and Certification (the following 2 pages);
- ☒ Combined Form (1 page) PTO 1449 & PTO/SB/08B identifying the US Patents, US Published app., and non-US Patent references;
- ☒ Copies of all non-US Patent references cited on the enclosed Form PTO 1449/PTO/SB/08B; and
- ☐ Return Postcard <none enclosed, filed by FAX>.

Respectfully submitted this 24th day of May 2008,



/jmacheledt/

Macheledt Bales & Heidmiller LLP

Jean M. Macheledt

Patent Attorney of Record for Assignee/Applicant(s)

Registration N^o 33,956 | Tel. 970.218.6798

RECEIVED
CENTRAL FAX CENTER
MAY 27 2008

App. No. 10/526,320 | IDS and Certification dated 24th May 2008

INFORMATION DISCLOSURE STATEMENT and CERTIFICATION

Pursuant to 37 C.F.R. §§1.51(b), 1.56, 1.97 and 1.98, this Information Disclosure Statement is submitted in the above-identified patent application. A list of documents to be published on the face of any patent granted from this application is submitted herewith on PTO/SB/08B (PTO-1449). In the event any of the items listed on enclosed Form SB/08B have no specific month and/or date of publication identified: it is believed that the particular month and/or date of publication of these items is not of particular significance at this point in time; and by including these items herewith applicants do not, in any way, constitute an admission that any of them bear a particular publication date that precedes the instant invention date. A copy of each non-U.S./foreign patent document, or each publication or portion thereof listed/identified, is being submitted herewith; *except that* (a) NO hardcopy of any U.S. patent application identified herein or any patent, publication or other information listed herein cited or submitted in a *prior* application relied upon for an earlier filing date under 35 U.S.C. §§ 119 & 120, and (b) NO hardcopy of each U.S. patent and U.S. published patent app.¹ listed, is being submitted herewith.

CERTIFICATION

_____ This Information Disclosure Statement is being submitted within three months of (i) the filing date of the above-identified U.S. National Patent application, or (ii) the date of entry into the U.S. National Stage of the above-identified International Application, or (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies.

{CERTIFICATION continued on *next* page...}

¹ Please see, MPEP §609.04(a) II **Legible Copies**. "The requirement for a copy of each U.S. patent or U.S. patent application publication listed in an IDS, has been eliminated, unless required by the Office." See, also, *prior* §609 III A(2) **Legible Copies** which states "... with the exception that copies of such U.S. patent documents [published U.S. patent apps. and U.S. patents] are not required if the IDS is electronically submitted via EFS or the IDS is filed in an application filed after June 30, 2003 or entered the national stage under 35 U.S.C. 371 after June 30, 2003 ..."

App. No. 10/526,320 | IDS and Certification dated 24th May 2008

{CERTIFICATION continued from *prior* page...}

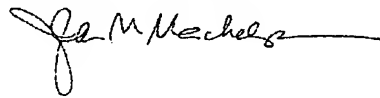
X This Information Disclosure Statement, and any associated *on-line* EFS-IDS, is being submitted *prior to the receipt* of the first Office Action *on the merits*² received by applicant(s) in the above-identified utility application.

_____ This Information Disclosure Statement is being submitted after three months from (i) the filing date of the above-identified U.S. National Patent application, or (ii) after three months from entry into the U.S. National Stage of the above-identified International Application, or (iii) the date of entry into the U.S. National Stage of the International Application that has been assigned the above-identified U.S. Patent application number, whichever applies; and after the mailing date of the first Office Action on the merits of the above-identified application, but prior to issuance of the earlier of any Final Action or Notice of Allowance sent in such application. The certification under 37 C.F.R. § 1.97(e) is submitted separately or below, or the fee required under 37 C.F.R. § 1.97(c) and § 1.17(p) is submitted herewith.

The Examiner is requested to acknowledge consideration of the information provided in this paper, i.e., PTO/SB/08B (PTO-1449) listing, in accordance with prescribed procedures.

While it is believed no additional charge is due as a result of filing this document, please charge any additional fees or credit any overpayments in connection with this paper to: Deposit Acct N^o 02-0725, Macheledt Bales LLP.

Respectfully submitted this 24th day of May 2008,



/jmacheledt/

Macheledt Bales & Heidmiller LLP

Jean M. Macheledt

Patent Attorney of Record for Assignee/Applicant(s)

Registration N^o 33,956 | Tel. 970.218.6798

² See, MPEP §609.04(b)I and *prior* §609 III.B(1)(a): Likewise, an information disclosure statement will be considered if it is filed later than 3 months after the application filing date but before the mailing date of a first Office action on the merits. An action on the merits means an action which treats the patentability of the claims in an application, as opposed to only formal or procedural requirements. An action on the merits would, for example, contain a rejection or indication of allowability of a claim or claims *rather than* just a restriction requirement . . . or just a requirement for additional fees to have a claim considered ... [*emphasis added*].